

1 THE HONORABLE BENJAMIN H. SETTLE
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 TODD BRINKMEYER

11 Petitioner,

12 v.

13 WASHINGTON STATE LIQUOR AND
14 CANNABIS BOARD,

15 Respondent.

16 Case No. 3:20-cv-05661-BHS

17 **DECLARATION OF SCOTT ATKISON IN
18 SUPPORT OF MOTION FOR
19 PRELIMINARY INJUNCTION**

20 I, Scott Atkison, hereby declare and state as follows:

21 1. I am over the age of eighteen, have personal knowledge of the matters contained in
22 the Declaration, and am competent to testify thereto.

23 2. I am the approved licensee for four marijuana retail stores (the "Stores") licensed
24 by the Washington State Liquor and Cannabis Board (the "LCB"). As a part owner of the Stores,
25 I exercise oversight of store operations.

26 3. I have been close friends with Todd Brinkmeyer for 25 years. Todd currently lives
30 minutes from me. I reside in Washington, and Todd resides in Idaho.

4. Todd has provided business advice to me and has made loans to the Stores. I value
his business advice and judgment. However, because Todd is not a Washington resident, I cannot
compensate him with an equity share in the Stores in the same manner that other, non-cannabis

1 businesses are able to compensate their advisors or employees. From my experience as a business
2 owner and executive in other industries, I recognize that the inability to compensate advisors and
3 employees with equity interferes with the Stores' ability to attract and retain the best talent.

4 5. I have survived for over five and one-half years with Stage IV cancer, however, my
5 health has progressed to where it is prudent for me to plan out the disposition of my estate. That
6 includes making arrangements to ensure continuity of business operations at the Stores. I care
7 about the team who has contributed to the Stores' success, and I do not wish to see my ownership
8 sold under duress, which could put undue stress on the Stores' other owners and business
9 operations. I want to make sure that I can hand my ownership over to someone that I trust will do
10 right by the other owners, the Stores, and the team members. The person I believe to be the best
11 for carrying on the same ownership values and principles that I have brought to the Stores is Todd
12 Brinkmeyer. As part of my estate planning, I would like to transfer part of my ownership interest
13 in the Stores to Todd, and I will do so if the LCB will allow it.

14 6. The uncertainty regarding what will happen to the Stores after I pass causes me
15 distress, and it would give me peace of mind if I knew that the LCB would allow Todd to become
16 an owner and take over oversight responsibility in the Stores.

17
18 *Pursuant to 18 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and*
19 *correct to the best of my knowledge.*

20
21 EXECUTED in Bend, OR on this 5th day of August, 2020

22 DocuSigned by:
23 
24 24696A0CEFC7431...

25
26 Scott Atkison

DECLARATION OF SERVICE

I, Brie Geffre, hereby declare under penalty of perjury under the laws of the United States and of the state of Washington, that on this 6th day of August, 2020, I caused the foregoing to be filed using the CM/ECF system which will send notice of the same to all registered parties

SIGNED at Seattle, Washington this 6th day of August, 2020.

s/Brie Geffre
Brie Geffre, Legal Assistant

DECLARATION OF SERVICE - 3
USDC No. 3:20-cv-05434-MAT

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